

**BUSINESS REPORT**

**MONTANA HOUSE OF REPRESENTATIVES  
61st LEGISLATURE - REGULAR SESSION**

**HOUSE BUSINESS AND LABOR COMMITTEE**

**Date:** Saturday, February 21, 2009

**Time:** 9:25 am

**Place:** Capitol

**Room:** 172

**BILLS and RESOLUTIONS HEARD:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

\_\_\_\_\_  
\_\_\_\_\_

**EXECUTIVE ACTION TAKEN:**

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 435 Tie HB 608 DPAA \_\_\_\_\_

HB 450 Tie HB 599 Tie \_\_\_\_\_

HB 572 DPAA HB 621 DPAA \_\_\_\_\_

HB 580 DPAA \_\_\_\_\_

**COMMENTS:**

  
\_\_\_\_\_  
REP. Bill Wilson, Chairman

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**BUSINESS AND LABOR COMMITTEE**

DATE: 2/20/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
Rep. Michele Reinhart	X	
Rep. Bill Beck	X	
Rep. Elsie Arntzen	X	
- Rep. Shannon Augare		X
Rep. Paul Beck	X	
Rep. Tom Berry	X	
- Rep. Carlie Boland	X	
Rep. John Fleming	X	
* Rep. Timothy Furey	X	
Rep. Chuck Hunter	X	
+ Rep. Harry Klock	X	
Rep. Mike Milburn	X	
Rep. Pat Noonan	X	
- Rep. Scott Reichner		X
Rep. Cary Smith	X	
Rep. Gordon Vance	X	
Rep. Jeffery Welborn	X	
Rep. Bill Wilson	X	



## HOUSE STANDING COMMITTEE REPORT

February 23, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 621** (first reading copy – white) **do pass as amended.**

Signed:

*Bill Wilson*  
Representative Bill Wilson, Chair

**And, that such amendments read:**

1. Page 1, line 21 through line 22.

**Following:** "activities"

**Strike:** "on the" on line 21 through "license" on line 22

**Insert:** "except for horseracing as authorized in Title 23,  
chapter 4"

2. Page 1, following line 23.

**Insert:** "(d) is authorized for use in all facilities contained  
in the fairgrounds complex;

(e) is not, with respect to the facilities, subject to the  
provisions of 16-4-204(2);"

**Renumber:** subsequent subsections

- END -

**Committee Vote:**

**Yes 17, No 1**

**Fiscal Note Required** \_\_\_\_

HB0621001SC.hjd



## HOUSE STANDING COMMITTEE REPORT

February 23, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 608** (first reading copy – white) **do pass as amended.**

Signed:

*Bill Wilson*  
Representative Bill Wilson, Chair

**And, that such amendments read:**

1. Page 1, line 14.

**Strike:** "A"

**Insert:** "The fire chief, representing and on behalf of a"

**Following:** "government"

**Insert:** ", "

2. Page 1, line 15 through line 16.

**Strike:** "an appropriate local official"

**Insert:** "the fire chief"

3. Page 1, line 16.

**Following:** "public."

**Insert:** "Any lien executed under the provisions of this subsection (2) are junior to a perfected security interest."

4. Page 1, line 17.

**Strike:** "appropriate official"

**Insert:** "fire chief"

- END -

**Committee Vote:**

**Yes 15, No 3**

Fiscal Note Required ☐

HB0608001SC.hjd



## HOUSE STANDING COMMITTEE REPORT

February 23, 2009

Page 1 of 1

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 572** (first reading copy – white) **do pass as amended.**

Signed:

  
*Representative Bill Wilson, Chair*

**And, that such amendments read:**

1. Title, line 7.

**Strike:** "AND A CONTINGENT TERMINATION DATE"

2. Page 1, line 18.

**Strike:** "[the distribution provided in 15-35-108(9) (b) (iv) (B) and from]"

3. Page 3, line 22 through line 28.

**Strike:** Section 7 in its entirety

- END -

**Committee Vote:**

**Yes 18, No 0**

Fiscal Note Required \_\_\_\_

HB0572001SC.hjd



## HOUSE STANDING COMMITTEE REPORT

February 23, 2009

Page 1 of 2

Mr. Speaker:

We, your committee on **Business and Labor** recommend that **House Bill 580** (first reading copy – white) **do pass as amended**.

Signed: *Bill Wilson*  
*Representative Bill Wilson, Chair*

**And, that such amendments read:**

1. Title, line 9 through line 10.

**Strike:** "AND" on line 9 through "EMPLOYMENT" on line 10

2. Title, line 10.

**Strike:** "39-51-2101,"

**Following:** "39-51-2111,"

**Insert:** "AND"

**Strike:** "AND 39-51-2302,"

3. Title, line 11.

**Strike:** "AND A CONTINGENT TERMINATION DATE"

4. Page 1, line 21.

**Strike:** subsection (b) in its entirety

**Renumber:** subsequent subsections

5. Page 3, following line 11.

**Insert:** "However, in the case of a combined-wage claim pursuant to the arrangement approved by the secretary of labor of the United States, the base period is the period applicable under the unemployment law of the paying state."

6. Page 5, line 26.

**Strike:** "35"

**Insert:** "40"

**Committee Vote:**

**Yes 11, No 7**

**Fiscal Note Required** \_\_

HB0580001SC.hjd

7. Page 7, line 5 through line 12.

**Strike:** Section 4 in its entirety

**Renumber:** subsequent sections

8. Page 9, line 1.

**Strike:** "(a)"

**Following:** "maximum"

**Insert:** "and minimum benefit amounts are computed in the following manner:

(a) The maximum weekly benefit amount is 67.5% of the average weekly wage and must be applied to all maximum weekly benefit amount claims for benefits filed to establish a benefit year commencing on or after July 1 of the same year.

(b) The minimum weekly benefit amount must be 20% of the average weekly wage.

(c) The minimum weekly benefit amount, if not a multiple of \$1, must be computed to the nearest lower full dollar amount."

9. Page 9, line 3 through line 8.

**Strike:** "weekly" on line 3 through "amount." on line 8

10. Page 9, line 17 through page 10, line 16.

**Strike:** Section 7 in its entirety

**Renumber:** subsequent sections

11. Page 10, line 24 through line 27.

**Strike:** Section 10 in its entirety

- END -

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS AND LABOR COMMITTEE**

DATE 2/21/09 BILL NO HB580 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

DO Pass as Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart	/		
Rep. Bill Beck		/	
Rep. Elsie Arntzen		/	
Rep. Shannon Augare	/		/
Rep. Paul Beck	/		
Rep. Tom Berry	/		
Rep. Carlie Boland	/		
Rep. John Fleming	/		
Rep. Timothy Furey	/		
Rep. Chuck Hunter	/		
Rep. Harry Klock	/		
Rep. Mike Milburn		/	
Rep. Pat Noonan	/		
Rep. Scott Reichner		/	/
Rep. Cary Smith		/	
Rep. Gordon Vance		/	
Rep. Jeffery Welborn		/	
Rep. Bill Wilson	/		

11-7

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS AND LABOR COMMITTEE**

DATE 2/21/09 BILL NO HB 608 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

Do Pass as Amended

<u>NAME</u>	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart	/		
Rep. Bill Beck	/		
Rep. Elsie Arntzen	/		
Rep. Shannon Augare	/		/
Rep. Paul Beck	/		
Rep. Tom Berry	/		
Rep. Carlie Boland	/		
Rep. John Fleming	/		
Rep. Timothy Furey	/		
Rep. Chuck Hunter	/		
Rep. Harry Klock	/		
Rep. Mike Milburn		/	
Rep. Pat Noonan	/		
Rep. Scott Reichner	/		/
Rep. Cary Smith		/	
Rep. Gordon Vance		/	
Rep. Jeffery Welborn	/		
Rep. Bill Wilson	/		

15-3

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS AND LABOR COMMITTEE**

DATE 2/2/09 BILL NO. HB 599 MOTION NO. \_\_\_\_\_

MOTION: \_\_\_\_\_

DO Pass as Amended

NAME	AYE	NO	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart	/		
Rep. Bill Beck		/	
Rep. Elsie Arntzen		/	
Rep. Shannon Augare	/		/
Rep. Paul Beck	/		
Rep. Tom Berry		/	
Rep. Carlie Boland	/		
Rep. John Fleming	/		
Rep. Timothy Furey	/		
Rep. Chuck Hunter	/		
Rep. Harry Klock		/	
Rep. Mike Milburn		/	
Rep. Pat Noonan	/		
Rep. Scott Reichner		/	(
Rep. Cary Smith		/	
Rep. Gordon Vance		/	
Rep. Jeffery Welborn		/	
Rep. Bill Wilson	/		

9-9

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS AND LABOR COMMITTEE**

DATE 2/20/09 BILL NO HB 435 MOTION NO. \_\_\_\_\_

MOTION:

DO Pass as Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhardt	/		
Rep. Bill Beck		/	
Rep. Elsie Arntzen		/	
Rep. Shannon Augare	/		/
Rep. Paul Beck	/		
Rep. Tom Berry		/	
Rep. Carlie Boland	/		/
Rep. John Fleming	/		
Rep. Timothy Furey	/		
Rep. Chuck Hunter	/		
Rep. Harry Klock		/	/
Rep. Mike Milburn		/	
Rep. Pat Noonan	/		
Rep. Scott Reichner		/	/
Rep. Cary Smith		/	
Rep. Gordon Vance		/	
Rep. Jeffery Welborn		/	
Rep. Bill Wilson	/		

9-9  
T.E

**HOUSE OF REPRESENTATIVES**  
**Roll Call Vote**  
**BUSINESS AND LABOR COMMITTEE**

DATE 2/2/09 BILL NO HB450 MOTION NO. \_\_\_\_\_

MOTION: \_\_\_\_\_

DO PASS AS Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
Rep. Michele Reinhart	/		
Rep. Bill Beck		/	
Rep. Elsie Arntzen		/	
Rep. Shannon Augare	/		/
Rep. Paul Beck	/		
Rep. Tom Berry		/	
Rep. Carlie Boland	/		
Rep. John Fleming	/		
Rep. Timothy Furey	/		
Rep. Chuck Hunter	/		
Rep. Harry Klock		/	
Rep. Mike Milburn		/	
Rep. Pat Noonan	/		
Rep. Scott Reichner		/	/
Rep. Cary Smith		/	
Rep. Gordon Vance		/	
Rep. Jeffery Welborn		/	
Rep. Bill Wilson	/		

9-9

Tie

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the BUSINESS & LABOR

Committee because of other commitments. I desire to leave my proxy vote with:

VICE CHAIR REINHART

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

HB 435 AMEND	X	
HB 435 AS AMENDED	X	
HB 450 AMEND	X	
HB 450 AS AMENDED	X	
HB 572 AMEND	X	
HB 572 AS AMENDED	X	
HB 608 AMEND	X	
HB 608 AS AMENDED	X	
HB 599 AMEND	X	
HB 599 AS AMENDED	X	
HB 621 AMEND	X	
HB 621 AS AMENDED	X	
HB 580 AMEND	X	
HB 580 AS AMENDED	X	

BILL/AMENDMENT                      AYE      NO


Rep. \_\_\_\_\_

(Signature)

Date 2/21/2009

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the BUSINESS & LABOR

Committee because of other commitments. I desire to leave my proxy vote with:

VICE CHAIR REINHART

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

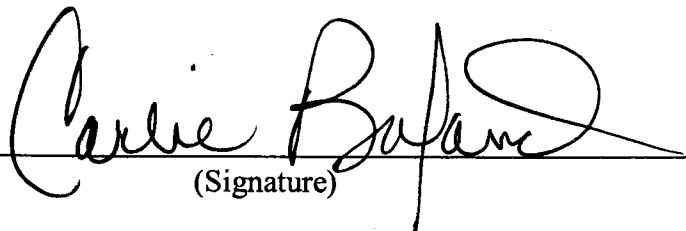
AYE NO

BILL/AMENDMENT

AYE NO

HB 435 AMENDMENT	X	
HB 435 AS AMENDED	X	
HB 450 AMENDMENT	X	
HB 450 AS AMENDED	X	
<del>HB 572 AMENDMENT</del>	<del>X</del>	
<del>HB 572 AS AMENDED</del>	<del>X</del>	
<del>HB 608 AMENDMENT</del>	<del>X</del>	
<del>HB 608 AS AMENDED</del>	<del>X</del>	


Rep.

  
(Signature)

Date

2/21/2009

# AUTHORIZED COMMITTEE PROXY

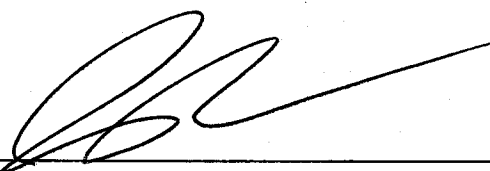
I request to be excused from the Bussing & Labor

Committee because of other commitments. I desire to leave my proxy vote with:  
Rep. Ben But

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 435		✓
450		✓
572	✓	
580		✓
668	✓	
599	✓	✓
621	✓	

BILL/AMENDMENT	AYE	NO

Rep.   
(Signature)  
Reichner

Date 2/21/09

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the Brenner & Huber

Committee because of other commitments. I desire to leave my proxy vote with:

Rep. Brian Zelt

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO
HB 435		/
450		/
572		

BILL/AMENDMENT	AYE	NO

Rep. Harry Klock  
(Signature)

Date 2/21/09

# Additional Document

## Unemployment Insurance Modernization Components, Costs, and Federal Funding

HB 580 Sponsored by Representative Mary Caferro

Component	State Cost for FY11 Biennium According to Fiscal Note	Total Federal Funding Available from the American Recovery and Reinvestment Act
<b>Alternative Base Period*-</b> Creates a new alternative base period that would include a worker's most recent quarter of earnings if those earnings are necessary to make the worker eligible for UI.	\$3,500,000	\$6,500,000
<b>Three Additional Provisions**:</b>		
Allowing part-time workers who are looking for part-time work to qualify for UI.	\$8,000,000	\$13,000,000
Extending benefits for dislocated workers engaged in training.	\$6,500,000	
Eliminating 10-week time limit for workers who left employment because of domestic violence	\$173,500* Employers do not pay into the DV fund at anytime.	
<b>Administrative Funding:</b>		\$1,400,000
<b>Total:</b>	<b>\$18,173,000.</b>	<b>\$20,900,000</b>

\*The alternative base period must be adopted in order to receive any of the federal UI Modernization funds ear-marked for Unemployment Insurance Modernization.

\*\*The other more-expensive options for reform (extending eligibility to workers who leave employment because of a compelling family reason or in order to follow a spouse who is relocating for work) have been amended out of the bill.

\*\*\*The UI Trust fund currently is at 272 million dollars.

## **HB 580 The UI Modernization Act is an opportunity for Montana's workforce**

HB 580 includes four provisions that are the least expensive and are the most relevant to Montana's unique economy. Funding is available through the UI Modernization Act. I did not sign the fiscal note as it does not match our calculations.

### **Alternative Base Period:**

For purposes of qualifying for Unemployment the most current work period would be included in the calculation.

**Part-time workers** allowed to look for part-time work while receiving UI. Currently part-time workers are prohibited from looking for part-time work as a requirement of receiving benefits without a medical reason. This is important as Montana has a high rate of part-time jobs and therefore it is likely that there are more part-time jobs available than there are full-time.

**Dislocated workers** will be allowed to stay in training programs for an additional 26 weeks bringing the total training time to 1 year. Currently dislocated workers can receive benefits for up to 26 weeks and not be required to leave the training to take a job. It is important to extend this time period so that dislocated workers can complete their training and re-enter the workforce with the skills necessary for a good paying job.

**Victims of Domestic Violence** time period for UI extended. Currently victims may qualify for up to 10 weeks of UI for purposes related to domestic violence. **Employers are not charged for domestic violence claims! Montana is the only state in the nation that has a time limit on UI for victims of domestic violence.**

**The UI Modernization Act** will provide funding of HB 580 as incentive for the Changes to Montana UI law and can be used for administration as well as benefits.

UI Modernization Act Federal Funding	\$20, 900,00
State cost of provisions in HB 590	<u>\$18,173,000</u>

**Value to Montanans Priceless!**